

In re:

Case No. 22-50035-JPS

TERI GALARDI,

Chapter 11

Debtor.

ASTRID E. GABBE

Contested Matter

Movant.

v.

TIFFANY THOMPSON

Respondent.

NOTICE OF OBJECTION TO ALLOWANCE OF CLAIM NUMBER 114

ASTRID E. GABBE HAS FILED AN OBJECTION TO YOUR CLAIM IN THIS CASE.

Your claim may be reduced, modified, or eliminated. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If not served with this notice in accordance with the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure, a copy of the objection may be obtained upon written request to counsel for the debtor or at the Clerk's office.

If you do not want the court to eliminate or change your claim, then you or your attorney shall file with the court a written response to the objection on or before **September 27, 2023**.

Clerk, U. S. Bankruptcy Court
Middle District of Georgia
P. O. Box 1957
Macon, Georgia 31202

**If a response is filed, a hearing on the objection to your claim shall be held on:
November 1, 2023 at 11:00 a.m. at the United States Bankruptcy Court
Courtroom A, 433 Cherry Street, Macon, Georgia 31201.**

If you mail your response to the court for filing, you shall send it early enough so the court will receive the response on or before the response date stated above.

Any response shall also be served on the objecting party.

If you or your attorney does not take these steps, the court may decide that you do not oppose the objection to your claim.

Parties should consult the Court's website (www.gamb.uscourts.gov) concerning whether the hearing will be in-person, telephonic, or virtual. Please refer to Administrative Order #145 for more guidance.

This notice is sent by the undersigned pursuant to L.B.R. 3007-1.

DATED: August 28, 2023.

Jason M. Orenstein
Attorney for Astrid Gabbe
1922 Forsyth Street
Macon, Georgia 31208-4086
(478) 743-6300
jmopclaw@yahoo.com

In re:

TERI GALARDI,

Debtor.

Case No. 22-50035-JPS

Chapter 11

ASTRID E. GABBE

Contested Matter

Movant.

v.

TIFFANY THOMPSON

Respondent.

OBJECTION TO PROOF OF CLAIM NO. 114

Creditor and Interested Party in the above matter, ASTRID E. GABBE (herein “Gabbe”), hereby files this Objection to Proof of Claim No. 114 asserted by Tiffany Thompson, (herein “Respondent” or “Ms. Thompson”), and respectfully shows this Court as follows:

1. On January 12, 2022 debtor filed a voluntary petition for relief under Chapter 11. Gabbe and Respondents are creditors/interested parties holding claims against the debtor in the above bankruptcy case.
2. In the years preceding the filing of the debtor’s bankruptcy petition, Gabbe provided legal representation pursuant to a contingency fee agreement with Ms. Thompson in a claim for damages under the Florida Minimum Wage Act from a lawsuit styled *Milner et al. v. Galardi*, Case No. 20-cv-20592-MGC, (the “Milner Case”), in the United States District Court for the Southern District of Florida (the “District Court”).

3. In accordance with Florida law, on July 12, 2023, Gabbe filed a charging lien to enforce and perfect her 35% contingency attorney fee interest in the Thompson Claim. Said filing

4. On March 21, 2022, Gabbe filed Proof of Claim No. 100 on behalf of Ms. Thompson as an unsecured claim directing that payment was to be sent to Gabbe.

5. Thereafter, on March 23, 2022, Ms. Thompson filed Proof of Claim No. 114 on her own behalf in the amount of \$368,787.84. Said claim reflects the full amount of the Thompson Claim against the Debtor and includes the contingency fees due to Gabbe however, Ms. Thompson directed the payment of the proof of claim to her including Gabbe's 35%.

6. On February 28, 2023, Ms. Thompson filed a Notice of Withdrawal of Claim No. 100 (Doc. 308) thereby ostensibly nullifying the Proof of Claim filed by Gabbe on Thompson's behalf.

7. Recognizing this dispute between Gabbe and Thompson, on August 3, 2023, the Liquidating Trustee filed an interpleader action in the Southern District of Florida in order to deposit the first distribution in the registry of the court in Florida. [See *McClendon v. Mays et. al.* Case No. 23-cv-22893-BB].

8. However, the amount to be paid to Gabbe and to Thompson still needs to be resolved and can be resolved through the proof of claim objection process.

9. Gabbe's Attorney Charging Lien should be deducted and paid in full from Claim No. 114 filed by Tiffany Thompson.

WHEREFORE, the Movant requests the following relief:

- (a) That this Objection be sustained;
- (b) That Gabbe's Charging Lien in the amount of \$51,630.30 is to be paid as part of Thompson's Claim 114;
- (c) That the Liquidating Trustee is ordered to pay \$51,630.30 to Gabbe immediately;
- (d) That Claim No. 114 is reduced by \$51,630.30 and then paid directly to Ms. Long;
- (e) That the Court awards Movant such other and further relief as is just and proper.

This 28th day of August, 2023.

/s/ Jason M. Orenstein
JASON M. ORENSTEIN
State Bar # 554302
Attorney for Astrid E. Gabbe

1922 Forsyth Street
Macon, GA 31201
(478) 743-6300
jason@jmolaw.com

CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing Objection to Proof of Claim No. 114 using the Bankruptcy Court's Electronic Case Filing program which serves the same upon all participants therein who have appeared in the case. In addition, the counsel for Plaintiff has emailed and mailed first class mailed a copy of the foregoing Objection to Proof of Claim No. 114 to Tiffany Thompson at soulfulliving2022@gmail.com and 6531 S. Sepulveda Blvd. #216, Los Angeles, CA 90045 and 20 Rockdale St. #329, Braintree, MA 02184.

This 28th day of August, 2023.

/s/ Jason M. Orenstein
JASON M. ORENSTEIN
State Bar # 554302
Attorney for Astrid E. Gabbe

1922 Forsyth Street
Macon, GA 31201
(478) 743-6300
jason@jmolaw.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
Case No. 20-23230-CIV-CANNON-OTAZO-REYES

ANGELA MILNER, ET. AL.,

Plaintiffs

v.

TERI GALARDI,

Defendant

/

**NOTICE OF FILING AND ASSERTING AMENDED CHARGING LIEN
BY THE LAW OFFICES OF ASTRID E. GABBE, P.A.
FOR ATTORNEYS' FEES AND COSTS**

NOTICE IS GIVEN that The Law Office of Astrid E. Gabbe, P.A. ("AG") asserts an attorney's charging lien on any judgment, settlement or award to be entered in the above-captioned proceeding, to Plaintiff Tiffany Thompson ("Thompson") on all money due from defendant on any such judgment, settlement or award, and any and all assets, property, money or proceeds retained, received or recovered by Thompson or any of her assigns in connection with this judgment, settlement or award. This charging lien claims attorneys' fees and costs due AG for legal services rendered to Thompson with respect to Defendant Galardi. To date, nothing has been paid to the undersigned counsel and the total amount due of \$51,630.30.

Dated: July 12, 2023

Former Attorneys for Plaintiff

Tiffany Thompson

Astrid E. Gabbe

/s/ Astrid E. Gabbe

The Law Office of Astrid E. Gabbe, P.A.
Florida Bar No. 635383
P.O. Box 4216
Hollywood, FL 33083
Tel. (954) 303-9882
Fax. (954) 983-1427
astridgabbe@gmail.com

Interested Party

Astrid E. Gabbe

/s/ Astrid E. Gabbe

The Law Office of Astrid E. Gabbe, P.A.
Florida Bar No. 635383
P.O. Box 4216
Hollywood, FL 33083
Tel. (954) 303-9882
Fax. (954) 983-1427
astridgabbe@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of foregoing was served via CM/ECF, email and/or First Class U.S. Mail to the parties on the attached service list as indicated on this 12th day of July 2023.

Astrid E. Gabbe

/s/ Astrid E. Gabbe

The Law Office of Astrid E. Gabbe, P.A.
Florida Bar No. 635383
P.O. Box 4216
Hollywood, FL 33083
Tel. (954) 303-9882
Fax. (954) 983-1427
astridgabbe@gmail.com

SERVICE LIST

Served via CM/ECF

howardbrodskyesq@aol.com

Served via Email

Tiffany Thompson
godsdaughterspen@gmail.com